

X
IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 12TH DAY OF MARCH 1998.

BEFORE

1757
THE HON'BLE MR. JUSTICE H.L. DATTA

WRIT PETITION NO. 24183 OF 1991.

BETWEEN:

M. K. Ganesh,
S/o M. P. Kariyappa,
aged about 40 years,
residing at No. A-704,
South Block,
Donimalai Township P.O.
Bellary District. 563118.

. . . Petitioner

(By Sri T. Narayanaswamy, for Petitioner)

AND

The National Mineral Development
Corporation Ltd.,
Donimalai Iron Ore Mines
represented by its Chairman
and Managing Director,
Donimalai Township PO
Bellary District 563118.

. . . Respondents

(By Sri Sundararaswamy Randas & Anand for Respondents)

* * *

Writ petition filed under Articles 226 and 227
of the Constitution of India with an affidavit,

praying to quash the order dated: 28-2-1991
vide Annexure-A and etc.,

This writ petition is coming on for
hearing this day. the Court made the following

O R D E R

Petitioner an employee of
the National Mineral Development
Corporation Limited, Bellary, is
before this Court questioning the
correctness or otherwise of the
orders made by the Plant Manager
dated 28.02.1991. By the said
order the Plant Manager had imposed
a punishment of stoppage of two
increments with cumulative effect.

2. Service regulations of
the respondent Corporation provide
for an appeal remedy against the
orders made by the disciplinary
authority. The said remedy is
not only effective but also an

efficacious remedy. Without exhausting the alternate, effective and efficacious remedy, in my view, petitioner could not have approached this Court being aggrieved by the orders made by the disciplinary authority.

3. In that view of the matter without expressing any opinion on the merits or demerits of the petitioner's case this writ petition is disposed off reserving liberty to the petitioner to prefer an appeal against the orders made by the disciplinary authority dated 28.02.1991 within two months from today. If such an appeal is filed by the petitioner within the time granted by this Court the

appellate authority would
decide the appeal on merits
without reference to the
period of limitation. Ordered
accordingly.

Sd/- JUDGE.

Mc/-

r. by 

c. by 27/8/98.

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W2.

Assistant Registrar

High Court of Karnataka
Bangalore

DL
8/9/98

49-9-98